

IC 36-2-7.5**Chapter 7.5. Recording Documents Containing Social Security Numbers****IC 36-2-7.5-1****Applicability**

Sec. 1. This chapter applies after December 31, 2005.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-2**"Redacting technology"**

Sec. 2. As used in this chapter, "redacting technology" refers to technology that has the ability to:

- (1) search recorded documents; and
- (2) redact Social Security numbers from recorded documents.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-3**Disclosure of last four digits of Social Security number**

Sec. 3. For purposes of this chapter, disclosure of the last four (4) digits of an individual's Social Security number is not a disclosure of the individual's Social Security number.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-4**Document containing Social Security number may not be submitted to county recorder; exception**

Sec. 4. A document may not be submitted to the county recorder for recording if the document contains the Social Security number of an individual, unless required by law.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-5**Affirmation of individual preparing document for recording; form**

Sec. 5. (a) An individual preparing a document for recording shall affirm, under the penalties for perjury, that the individual has:

- (1) reviewed the entire document before submitting the document for recording for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers; and
- (2) taken reasonable care to redact each Social Security number in the document.

(b) An individual shall make the affirmation required under subsection (a) on a form prescribed by the state board of accounts.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-6**County recorder may not record document without affirmation; fees; deposit of fees**

Sec. 6. (a) A county recorder may not accept a document for

recording without the completed and executed form described in section 5 of this chapter attached to the document. A form attached to a document under this subsection is considered part of the document for purposes of the fee charged under subsection (b) in accordance with IC 36-2-7-10.

(b) The county recorder shall charge a fee for recording a document under this chapter in accordance with IC 36-2-7-10.

(c) The county recorder shall deposit two dollars (\$2) of the fee charged under subsection (b) in the county identification security protection fund established by section 11 of this chapter. This subsection expires July 1, 2011.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-7

State board of accounts to establish procedures

Sec. 7. The state board of accounts shall establish reasonable procedures for a county recorder to follow:

- (1) when receiving and reviewing a document submitted for recording; and
- (2) in order to comply with this chapter.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-8

Recorder to search documents for Social Security number; redaction; applicability

Sec. 8. (a) This section applies after December 31, 2007.

(b) To the extent possible, a county recorder may not disclose a recorded document for public inspection under IC 5-14-3 until the county recorder has:

- (1) searched the document for a Social Security number; and
- (2) to the extent possible, redacted any Social Security numbers contained in the document;

using redacting technology.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-9

Notice posted by county recorder

Sec. 9. A county recorder shall post a notice in the county recorder's office that states the:

- (1) duties of:
 - (A) an individual preparing a document for recording; and
 - (B) the county recorder;under this chapter; and
- (2) penalties under section 12 of this chapter.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-10

Training county recorder employees

Sec. 10. A county recorder shall conduct training sessions at least two (2) times each year for the county recorder's employees on the:

(1) requirements of this chapter; and
(2) procedures to follow in order to comply with this chapter.
As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-11

County identification security protection fund

Sec. 11. (a) As used in this section, "fund" refers to a county identification security protection fund established under subsection (b).

(b) Each county legislative body shall establish an identification security protection fund to be administered by the county recorder. The county fiscal body shall appropriate money from the fund.

(c) A fund consists of money deposited in the fund under section 6(c) of this chapter. Money in a fund does not revert to the county general fund.

(d) A county recorder may use money in the fund only to purchase, upgrade, implement, or maintain redacting technology used in the office of the county recorder.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-12

Disclosure of Social Security number by county recorder employee; Class A infraction

Sec. 12. (a) This section applies after June 30, 2008.

(b) A county recorder or an employee of a county recorder who discloses a recorded document that contains a Social Security number without having the document searched, to the extent technologically possible, using redacting technology commits a Class A infraction.

As added by P.L.91-2005, SEC.3.